

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 DE'ZUAN BELL,

Case No. 3:24-cv-00410-MMD-CSD

4 Plaintiff

ORDER

5 v.

6 SWIDES, et al.,

7 Defendants

8

9 On September 12, 2024, pro se plaintiff De'zuan Bell, an inmate in the custody of
 10 the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983.
 11 (ECF No. 1-1). Plaintiff has neither paid the full \$405 filing fee for this matter nor filed an
 12 application to proceed *in forma pauperis*. (See ECF No. 1).

13 **I. DISCUSSION**

14 The United States District Court for the District of Nevada must collect filing fees
 15 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee
 16 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55
 17 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the
 18 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev.
 19 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate
 20 must submit **all three** of the following documents to the Court: (1) a completed
 21 **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the
 22 Court's approved form, that is properly signed by the inmate twice on page 3; (2) a
 23 completed **Financial Certificate**, which is page 4 of the Court's approved form, that is
 24 properly signed by both the inmate and a prison or jail official; and (3) a copy of the
 25 **inmate's prison or jail trust fund account statement for the previous six-month**
 26 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*
 27 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
 28 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

1 **II. CONCLUSION**

2 It is therefore ordered that Plaintiff has **until November 18, 2024**, to either pay the
3 full \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with all
4 three required documents: (1) a completed application with the inmate's two signatures
5 on page 3, (2) a completed financial certificate that is signed both by the inmate and the
6 prison or jail official, and (3) a copy of the inmate's trust fund account statement for the
7 previous six-month period.

8 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
9 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
10 to refile the case with the Court, under a new case number, when Plaintiff can file a
11 complete application to proceed *in forma pauperis* or pay the required filing fee.

12 The Clerk of the Court is directed to send Plaintiff the approved form application to
13 proceed *in forma pauperis* for an inmate and instructions for the same and retain the
14 complaint (ECF No. 1-1) but not file it at this time.

15 The Clerk of the Court will send a one-time courtesy copy of this order and
16 attachments to Plaintiff at Wells Conservation Camp, HC 67-50, Wells, Nevada 89835.

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18 DATED: October 2, 2024.

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22 UNITED STATES MAGISTRATE JUDGE